

ECF Informer

ISSUE 7

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PDF Document Screening

Effective July 5, 2006, the CM/ECF database will not accept PDF documents in the "Pending Order Upload" category which have improper page sizes or font types that cannot be processed in our system.

Improper Fonts

Types of Fonts that cannot be processed in the CM/ECF database include: WP; Palatino; Tahoma; BookAntiqua; Century; Garamond; Verdana. Users should not select these types of fonts when preparing documents in their word processor prior to converting to PDF. If these fonts are used in a PDF document and you attempt to upload the PDF document into CM/ECF, the system will produce an error message (see figure 1).

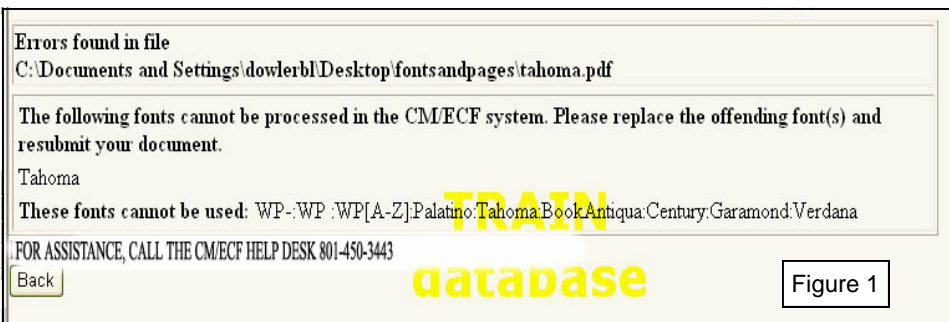


Figure 1

Improper Page Size

Pursuant to Local Rule 5005-3, "papers presented for filing must be on 8.5 x 11 inch page size." Users who **create or scan** a PDF document other than this required page size will experience problems when attaching it to a docket entry. If the incorrect page size has been used in the document, the system will produce an error message (see figure 2) while docketing. If you need assistance, please call our CM/ECF Help Desk

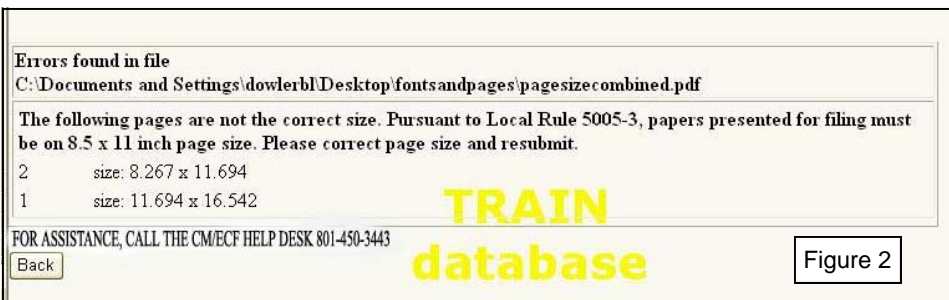


Figure 2

(801-450-3443) for help resolving problems related to font and page size.

Please be aware that the PDF Image screening functionality will be expanded in the very near future to include other types of documents that are sent through the Bankruptcy Noticing Center (BNC). Additional information will be sent to ECF users when the program is expanded to include other types of documents.

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CM/ECF

INFORMATION

CM/ECF Filing Stats for April & May

In April 2006, ECF attorneys opened 388 new cases which represented 76 % of the new caseload for April. In addition, 14,732 docket entries were made by ECF attorneys, which represented 61% of the total docket entries for April.

In May 2006, attorneys opened 352 new cases which represented 69% of the new caseload for May. 15,648 docket entries were made by ECF attorneys, which represented 59% of the total docket entries for May.

Deficiency Notices sent as a Reminder

As you are all probably aware of by now, several weeks ago the Clerk's office started sending "Deficiency Notices" the day after a case is filed, as a reminder to the filer of what documents are still due.

These notices are being sent in Individual Consumer debtor Chapter 7 and 13 cases, and are being sent to the debtor and attorney for debtor (trustee gets notified via email). This is one procedure that the court has instituted to help practitioners avoid 521 dismissals after the 45th day of the case. Also, after the 15th day of the case, practitioners may receive an Order to Show Cause if Payment Advices have not yet been filed. A certificate is also attached to the Order to Show Cause, which must be filed in a timely manner with the court.

This, once again, is an attempt to help practitioners avoid a 521 dismissal later on in the case.

Symbols and Characters in the Docket Text

ECF users should be aware of the problems on the Court's ECF database when using the Section Symbol (§) in the final docket text. The symbol, when submitted (§) within the docket text will translate incorrectly as a "?" rather than the symbol sign. The remainder of the docket text will be translated correctly other than the §. To correct this problem, users are asked to use the complete word "section" instead of the symbol.

An example final docket entry where the § is used:

Trustee's Response to Debtor's Objection to Recommendation of Dismissal and Request for ? 341 Hearing (related documents 6 Objection to Dismissal) filed by Panel Trustee (Panel Trustee).

Proper Use of Certificates of Mailing on Orders

The Clerk's office mails out all orders to interested parties once the order is entered. The Bankruptcy Noticing Center is used, and the case administrator is prompted by the supplied certificate of mailing, and sends the copies to those entities listed on the certificate.

From time to time, it has been noticed that some attorneys will indicate that the copies should go to everyone on the matrix. It is also noticed that in some instances the order does not need to be sent to all creditors per a bankruptcy/ local rule. This causes unnecessary mailing costs, and the clerk's office is requesting that anyone submitting an order for signature/entry be aware of this problem, and to be careful to avoid needless mailings, for frugality's sake.

The Clerk's office is happy to provide mailing services to practitioners, but we still need to be prudent with this procedure.

CM/ECF Notes



When filing Payment Advices for your client(s), please use the event code Payment Advices/Evidence of Payment, found in the "Other" and "Debtor Events" categories, but when filing a Certificate with the Payment Advices, or instead of Payment Advices, use the event code Payment Advices Certification found in the same categories.

If you file a certificate with or without Payment Advices (pay stubs), use "Payment Advices Certification". If you simply file nothing but pay stubs, use "Payment Advices/Evidences of Payment".

There are two new CM/ECF events:

Extend Time to File Financial Management Course Cert (Form B23) found in the Motions/Applications category

Payment Advices Certification in the Debtor Events Category/ and the Other category

Debtor's Certification of Status of Domestic Support Payments under Section 1325(a)(8) found in Other Events and Debtor's Events

Filing an IFP Case

As you probably already know, the District of Utah is now accepting Applications for IFP (In Forma Pauperis). There are a few things that E-filers should be aware of, in order to correctly submit an IFP case.

When the statistical screen appears (see Figure 1), the filer **must** change the fee status field from **PAID** to **FILING FEE NOT PAID**. This will prevent the filer from being charged the filing fee at the time the case is submitted. If this field is not properly changed, a charge will be placed on the filer's ECF account, for this case.

Upon completion of the new case filing, an Application for In Forma Pauperis should then be filed in the case. The correct event code must be used when filing the application. This event is found in the Motions/Applications category, then select In forma pauperis from the list of available options. Your application will be processed and the court will enter an order, either granting or denying the application. If the order is denied, then you will be contacted to pay the filing fee.

If you are not filing an IFP case, the only other options you may select when filing a new case are PAID or INSTALLMENT.

Figure 1

Open New Bankruptcy Case

Type of debtor: ☒ Individual ☐ Corporation (includes LLC & LLP) ☐ Clearing Bank ☐ Commodity Broker ☐ Partnership ☐ Stockbroker ☐ Railroad ☐ Health Care Business

Fee status: **Paid** (dropdown menu open showing: Paid, Installment, Paid, **fee not paid**, IFP filing fee waived, Original)

Nature of debt: **Voluntary** (dropdown menu open showing: IFP filing fee waived, Original)

Asset notice: **No**

Estimated number of creditors: **1 - 49**

Estimated assets: **\$0-\$50,000**

Estimated debts: **\$0-\$50,000**

Date split/transfer:

Next Clear

Maintaining your CM/ECF Account Information

All CM/ECF users are required to maintain their own ECF account information on the court's database. "Maintain Your ECF Account" option (located in "Utilities"), allows users to update their account password, name, mailing and e-mail addresses, e-mail preferences, phone and fax numbers.

When an update is made to the user account, all the cases they are associated with are updated instantaneously. If a user experiences a change of addresses or Internet email address, it is critical to update the ECF system immediately.

If users have multiple accounts, each account must be maintained and updated individually.

Maintain User Account

Last name: **Johnson** First name: **Jared**

Middle name: Generation:

Title: Type aty:

Office: **Johanson, Mason, and Magnum**

Address 1: **350 So Main St**

Address 2: **Suite 349**

Address 3:

City: **Salt Lake City** State: **UT** Zip: **84101**

Country: County:

Phone: Fax:

SSN: Tax Id:

Bar Id: Bar status: Mail group:

Initials: DOB: AO code: Person end date:

Email information... More user information...

Submit Clear

United States Bankruptcy Court
District of Utah

Honorable Glen Clark
Chief Judge

David Sime
Clerk of Court

Glenn Gregorcy
Chief Deputy Clerk of Court
801.524.6561
Glenn_gregorcy@utb.uscourts.gov

Brenda Dowler
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Training Specialist
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Michelle_bugni@utb.uscourts.gov

Helpdesk: 801.450.3443

Fax: 801.526.1193

We're on the web at
www.utb.uscourts.gov



DOES YOUR NEW EMPLOYEE NEED ECF TRAINING?

The District of Utah has been using CM/ECF since 2001. Some ECF users were trained a number of years ago or have had some employee turnover in your office. Some of you may have decided to give the new employee a “crash” course on ECF and send them on their way with **your password**.

Remember, you are responsible for what is filed under your username. If you have new employees that have not been trained by the court, you are strongly encouraged to call and schedule a training time for your new employees or others in your office that may need a refresher course.

Please call Michelle at 801-524-6639 or Jared at 801-524-6592 to schedule a time.

The Importance of the B23 Form

With the Reform Act now in full swing, the Clerk's office has had some difficulty with discharging Act cases, and generally the main hindrance has been centered around the new obligation of the debtor(s) to complete a financial management course after the case is filed, but before the case is discharged (Please do not confuse this with the Prefiling credit counseling that must occur prior to the case being filed).

This requirement must be completed and the proper documents filed within 45 days of the 341 meeting.

The form, hereinafter referred to as the B23, must have the provider certificate attached to it when it is filed. The clerk's office has found some cases with no B23 ever filed, or if the B23 is filed, it does not have the provider certificate attached, or has been filed after the deadline. In some instances, the B23 has not been filed, but only the provider certificate has been offered.

In order to obtain a discharge, the B23 and the provider certificate must be filed within 45 days of the first date set for the §341 meeting of creditors. If the B23 is filed late, the attorney needs to remedy that problem with the Court.

Cases may now be closed without a discharge being issued. This is a consequence of the new law, and whether or not cases will be allowed to be routinely reopened remains to be seen in this district. Finally, the Clerk's office has seen numerous instances of the B23 being filed to "prove" the completion of Prefiling Counseling. This is incorrect: the B23 should only be used/signed by the debtor acknowledging the completion of the financial management course.

Can't Find An Adversary Event?

Try a Bankruptcy Event Instead

Some of you may have looked for a docket event title, for an adversary case, under the Adversary Menu and were unable to find it. If you cannot find a specific event under the Adversary menu, it is acceptable to use the event that is available under the Bankruptcy Menu.

The case number field will accept your adversary number and allow you to complete your filing. The exception to this rule would be with the Pending Order Upload category. The Adversary Pending Order Upload will only accept an adversary case number and the Bankruptcy option for Pending Order Upload will only accept a main bankruptcy case number.

The best way to find a docket event and other electronic filing instructions, is to refer to our online ECF User's Manual found on our website at:

http://www.utb.uscourts.gov/cm_ecf/ecf_training/ecftrainmanuals.htm